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ROBERT H. SHEMWELL, CLERK
WESTERN DISTRICT OF LOUISIANA

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

ALLIANCE DISTRIBUTION (PTY), LTD

* CIVIL ACTION NO. 05-1356

VERSUS

* JUDGE JAMES

LUV N' CARE, LTD

* MAGISTRATE JUDGE HAYES

RULING

Pending before the Court is a Motion for Summary Judgment (Doc. #12) filed by Defendant Luv N' Care, Ltd. The Court agrees with and adopts the Report and Recommendation of the Magistrate Judge (Doc. #23) with the following exception.

As noted by Plaintiff Alliance Distribution (PTY), Ltd., there is a typographical error on page 8 of the Report and Recommendation in the following sentence: "Alliance asserts that when LNC did request an insurance certificate (after the lawsuit was filed), supplied same and that its obligation was fulfilled because LNC's attorney notified Alliance's attorney that Alliance 'is willing to accept the insurance policy if it is as advertised.'" The Court believes that the Magistrate Judge intended the sentence to read: "Alliance asserts that when LNC did request an insurance certificate (after the lawsuit was filed), it supplied same and that its obligation was fulfilled because LNC's attorney notified Alliance's attorney that LNC 'is willing to accept the insurance policy if it is as advertised.'" (emphasis added). The Court adopts this statement as it believes the Magistrate Judge intended.

THUS DONE AND SIGNED this 24 day of May, 2006, in
Monroe, Louisiana.



ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION